



UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

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*Proposed Counsel to the Debtor
And Debtor in Possession*

In re:

ASSUNCAO BROS., INC.,

Debtor.

Chapter 11 (Subchapter V)

Case No. 22-16159-CMG

Judge: Hon. Christine M. Gravelle

Order Filed on September 13, 2022
by Clerk
U.S. Bankruptcy Court
District of New Jersey

**CONSENT ORDER REJECTING INSURANCE POLICY WITH HORIZON BLUE
CROSS BLUE SHIELD OF NEW JERSEY EFFECTIVE AS OF AUGUST 26, 2022**

The relief set forth on the following pages, numbered two (2) through three (3), is

hereby agreed upon and **ORDERED**.

DATED: September 13, 2022

Honorable Christine M. Gravelle
United States Bankruptcy Judge

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Debtor: Assuncao Bros., Inc.

Case No.: 22-16159-CMG

Caption: **Consent Order Rejecting Insurance Policy with Horizon Blue Cross Blue
Shield of New Jersey Effective as of August 26, 2022**

THIS MATTER, having been brought before the Court upon the application of Assuncao Bros., Inc. (the “Debtor”) the debtor and debtor-in-possession in the above-captioned chapter 11, subchapter v case for entry of the within consent order rejecting a health insurance policy with Horizon Blue Cross Blue Shield of New Jersey (“Horizon”) effective as of August 26, 2022 pursuant to 11 U.S.C. § 365(a); and the Debtor and Horizon having consented to the relief set forth herein as evidenced by the signatures of their respective undersigned counsel; and for good cause shown, it is hereby

AGREED and ORDERED that the Debtor’s health insurance policy with Horizon ending in account number 2093 (the “Policy”) is hereby rejected as of August 26, 2022 (the “Rejection Date”) pursuant to 11 U.S.C. § 365(a); and it is further

AGREED and ORDERED that within thirty (30) days of entry of this Consent Order, the Debtor shall pay to Horizon the sum \$4,180.28 in full satisfaction of the monthly premium installment due from the Debtor to Horizon for the month of August 2022 prorated through the Rejection Date, and no further sums shall be due and owing from the Debtor to Horizon relating to the Policy; and it is further

AGREED and ORDERED that this Consent Order shall be immediately effective and enforceable upon entry; and it is further

AGREED and ORDERED that the Court shall retain jurisdiction to hear any matters related to the implementation and enforcement of this order.

[Signature page follows]

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Debtor: Assuncao Bros., Inc.

Case No.: 22-16159-CMG

Caption: **Consent Order Rejecting Insurance Policy with Horizon Blue Cross Blue
Shield of New Jersey Effective as of August 26, 2022**

The parties, through their undersigned counsel, hereby consent to the form, substance, and entry of the foregoing order:

By: /s/ Eric R. Perkins
Eric R. Perkins, Esq.
Becker LLP
354 Eisenhower Parkway
Suite 1500
Livingston, NJ 07039
(973) 422-1100
Attorney for Horizon

Dated: 9/2/2022

By: Michael R. Herz
Michael R. Herz, Esq.
Fox Rothschild, LLP
49 Market Street
Morristown, NJ 07960
(973) 992-4800
Proposed Attorneys for Debtor

Dated: 9/2/2022

In re:
Assuncao Bros., Inc.
Debtor

Case No. 22-16159-CMG
Chapter 11

District/off: 0312-3
Date Rcvd: Sep 13, 2022

User: admin
Form ID: pdf903

Page 1 of 2
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol **Definition**

+ Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Sep 15, 2022:

Recip ID	Recipient Name and Address
db	+ Assuncao Bros., Inc., 29 Wood Avenue, Edison, NJ 08820-3503

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Sep 15, 2022

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on September 13, 2022 at the address(es) listed below:

Name	Email Address
Allen J Barkin	on behalf of Creditor Nobel Equipment & Supplies Inc. abarkin@sbmesq.com, sandyr@sbmesq.com
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Edward H. O'Hare	on behalf of Creditor HEAVY AND GENERAL LABORERS' FUNDS OF NEW JERSEY eohare@zazzali-law.com
Eric R. Perkins	on behalf of Creditor Black Rock Enterprises LLC eperkins@becker.legal

District/off: 0312-3

Date Rcvd: Sep 13, 2022

User: admin

Form ID: pdf903

Page 2 of 2

Total Noticed: 1

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TOTAL: 30